

### **REMARKS**

Claims 1-38 are pending. Claims 1-38 are rejected. Applicant is amending claims 22-27 and 34-37.

Applicant thanks supervisory patent examiner Tuan Dam for the telephonic interview on October 20, 2006 to discuss the 35 U.S.C. 101 rejections of 22-26 and 34-37.

#### **Information Disclosure Statement**

The Office Action acknowledges receipt of the Information Disclosure Statement filed on July 14, 2003 and the information referred to therein being considered by the Examiner. However, Applicant notes that the Examiner has not initialed the fifth non-patent literature document identified as: Hofmann, A., "Knowledge-Based Approach to Optimizing and Maintaining Cogeneration Facilities." Thus, Applicant requests that the Examiner initial this reference.

#### **Claim Rejections – 35 U.S.C. §101**

**Claims 22-26 and 34-37 are rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter.**

The Office Action alleges that (Page 2, section 4.):

Claims 22-26 and 34-37 are rejected under 35 U.S.C. 101 because the claimed invention recites "a computer-readable medium" defined to include "communication media" which includes wireless transmission media as mentioned in page 6, lines 4-19 of the applicant's specification. Thus, under the Interim Guidelines such media do not fall within one of the four statutory classes of 35 U.S.C. 101 Annex IV (c). Therefore, the above claim is non-statutory.

Applicant is amending the claims to replace "computer-readable medium" with "physical computer-readable medium." Also, Applicant is amending claims 22-26 to replace "having" with "storing." As amended, Applicant believes that claims 22-26 and 34-37 are directed to statutory subject matter in accordance with Interim Guidelines, November 22, 2005, Annex IV (c). Applicant requests reconsideration of claims 22-26 and 34-37.

## Claim Rejections – 35 U.S.C. §102

**Claims 1-38 are rejected under 35 U.S.C. §102(a) as allegedly being unpatentable over US Publication No. 2006/0015847 A1 (Carroll).**

Regarding claim 1, the Office Action alleges that Carroll discloses a method for designing an application that includes (Page 3, section 6. Emphasis added.):

... (c) creating the application through the user-interface (see for example page 3, [0045]).

Carroll discloses (Paragraphs 45-46.):

[0045] Roughly described, an embodiment of the invention comprises a system and a method that utilizes a graphical User Interface Library--a collection of JAVA classes and interfaces that take graphical interface definition files (in one embodiment XML documents) as input, and create an application's user interface from the documents' content. This process allows programmers to rapidly create engaging, internationalized graphical user interfaces with significantly less coding than would have been otherwise necessary. In this manner, building an application's user interface requires nothing more than a text editor.

[0046] The User Interface Library allows JAVA developers to segregate application logic from application presentation (i.e., the user interface). **Using the system, an application's graphical user interface is specified within XML documents. The Interface Library is then used to construct the application's user interface from the contents of the XML documents when the application is started.** This allows an application to have multiple presentations (user interfaces) that can be targeted to particular users or groups of users, or to different computing environments (for example, for use in personal computers, personal digital assistants, or cell phones).

However, Carroll does not teach the feature of “creating the application through the user-interface.” Carroll teaches a user interface library in which an XML document is used merely for constructing a graphical user interface<sup>1</sup> for an application. Carroll fails to even suggest a user-interface for creating an application. For example, the graphical user interface, as taught by

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<sup>1</sup> Carroll merely teaches a user interface library for constructing a graphical user interface for an application to provide a presentation to a user. For example, an application, as taught by Carroll, can have multiple presentations that can be targeted to different groups of users or to different computing environments. The present specification discloses a user-interface that enables a user to build customizable application (Paragraph 29 as illustrated in Figure 2). However, Carroll fails to even suggest a graphical user interface for creating an application.

Carroll, fails to support the logic of an application that is necessary to accomplish the intended task of the application. Moreover, claims 2-26 ultimately depends from claim 1 and are not anticipated by Carroll for at least the above reasons. Applicant requests reconsideration of claims 1-26.

Regarding independent claim 27, Applicant is amending the claim to include the feature of “a user-interface module that generates a design surface, **the design surface specifying the application.**” (Emphasis added.) The amendment is supported by the specification as originally filed, e.g., Paragraphs 30 and 40 and Figures 3 and 5. The Office Action alleges that Carroll discloses a system for designing an application that includes (Page 8.):

... a use-interface module that generates a design surface (see for example FIG. 24. item 104, “User Interface Definition (XML File)”, and related text); ...

Carroll discloses (Paragraph 0216. Emphasis added.):

[0216] A high-level logical overview or schematic of a system used to operate the invention is shown in FIG. 24. A system such as shown can be incorporated into a software application development system for the consistent, rapid, and easy development of graphically rich applications. As shown in FIG. 24, the system comprises a parser 112. During the application compilation process, the parser 112 uses information both in the application source code 102 and the user interface definition file 104 to create the applications' graphical user interface 114. During runtime this graphical user interface is then generated and presented to the user.

Carroll teaches interface definition file (XML file) 104 for merely creating a graphical user interface for an application, in which interface definition file 104 does not even interact with application source code 102. As previously discussed, Carroll discloses that the User Interface Library is used to construct a user interface for an application (paragraph 0046). However, Carroll fails to even suggest a “design surface specifying an application.” Carroll fails to even suggest the feature of “a user-interface module that generates a design surface, the design surface specifying the application.” Claims 28-33 ultimately depend from claim 27 and are not anticipated for at least the above reasons. Applicant requests reconsideration of claims 27-33.

Regarding independent claim 34, the Office Action alleges that Carroll discloses a computer-readable medium having stored thereon a data structure that includes (Page 10.):

(a) a first data field that contains a first identifier (see for example page 5, [0109], “XML Entity”) for a first component, the first component being applicable for an application (see for example page 6, [0123], [0124]); ...

Carroll discloses (Paragraph 0124):

[0124] An embodiment of the User Interface Library takes one or more XML documents as input into the parsing or rendering process, so as to generate a graphical user interface. Each XML document refers to an XML DTD that specifies the answers to the following questions:

Carroll merely discloses a user interface library with inputted XML documents for generating a graphical user interface, which is used by an application to provide a presentation to a user. However, Carroll fails to even suggest the feature of “a first data field that contains a first identifier for a first component, the first component being applicable for an application.” Claim 35 depends from claim 34. Applicant requests reconsideration of claims 34-35.

Regarding independent claim 36, Applicant is amending the claim to include the feature of “a second data field that contains a first indicator that indicates a first position of the first stage within a design surface, **the design surface specifying an application.**” (Emphasis added.) The amendment is supported by the specification as originally filed, e.g., Paragraphs 30 and 40 and Figures 3 and 5. The Office Action alleges that Carroll discloses a computer-readable medium having stored thereon a data structure that includes (Page 11.):

... (b) a second data field that contains a first indicator that indicates a first position of the first stage within a design surface (see for example page 8, [0145], FIG. 12. and related text); ...

As disclosed by Carroll, fig. 12 merely shows a property file that is associated with an XML file for creating a graphical user interface for an application. However, Carroll fails to even suggest a “design surface specifying an application.” Moreover, claim 37 depends from claim 36 and is not anticipated for at least the above reasons. Applicant requests reconsideration of claims 36-37.

Regarding claim 38, the Office Action alleges that Carroll discloses a method for an application that includes (Page 12.):

... (c) creating a representation of the application, the representation, the representation having at least one stage, each stage having at least one component selected from the plurality of available components by a user (see for example page 5, [0099], "User Interface Component"); ...

Carroll discloses (Paragraph [0099].):

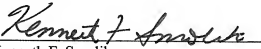
[0099] An object within an application that is part of that application's graphical user interface. Components have a visual representation within an application's user interface. Examples include: windows, buttons, labels, menus, etc.

However, Carroll does not teach the feature of "**creating a representation of the application**, the representation having at least one stage, each stage having at least one component selected from the plurality of available components by a user." (Emphasis added.) Carroll discloses a visual representation that merely represents the user interface used by an application. Carroll fails to even suggest creating a representation of the application. For example, the graphical user interface, as taught by Carroll, fails to support the logic of an application that is necessary to accomplish the intended task of the application. Applicant requests reconsideration of claim 38.

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

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Kenneth F. Smolik  
Registration No. 44,344  
BANNER & WITCOFF, LTD.  
10 South Wacker Drive, Suite 3000  
Chicago, Illinois 60606  
Direct Line: 312-463-5419  
Facsimile: 312-463-5001